

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

DR. ANTHONY CERAMI, : X 07 Civ. 5634 (AKH)(DFE)

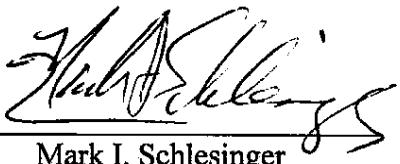
Plaintiff, : **AFFIDAVIT OF SERVICE**

- against - :  
NOVARTIS AG and :  
NOVARTIS VACCINES AND DIAGNOSTICS, :  
INC., :  
: Defendants. :  
----- X

STATE OF NEW YORK )  
 ) ss:  
COUNTY OF NEW YORK )

MARK I. SCHLESINGER, being duly sworn, states:

I am not a party to this action, am over 18 years of age and reside in Glen Rock, New Jersey. On June 22, 2007 I caused a copy of the summons and complaint to be served upon defendant Novartis Vaccines and Diagnostics, Inc. by delivering a true copy thereof to William Kuhne, Esq., Morrison & Foerster LLP, 1290 Avenue of the Americas, New York, New York 10104-0050 who acknowledged by e-mail (copy annexed) that he was authorized to accept service on behalf of defendant Novartis Vaccines and Diagnostics, Inc. as of June 22, 2007.



Mark I. Schlesinger

Sworn to before me this  
26<sup>th</sup> day of June, 2007



Jeannette Colon  
Notary Public

JEANNETTE COLON  
Notary Public, State of New York  
No. 01CO6038869  
Qualified in Queens County  
Commission Expires March 20, 2010

**Schlesinger, Mark I.**

**From:** Kuhne, William (Bill) J. [WKuhne@mofo.com]  
**Sent:** Monday, June 25, 2007 8:39 PM  
**To:** Schlesinger, Mark I.  
**Cc:** Brett, Barry J.; Krevans, Rachel  
**Subject:** Cerami v. Novartis AG and Novartis Vaccines & Diagnostics, Inc.

Dear Mark:

As requested in your letter of June 22, 2007, I can confirm that I was authorized to accept service of Dr. Cerami's complaint as of June 22, 2007, on behalf of Novartis Vaccines and Diagnostics, Inc.

Further, I would like to discuss tomorrow whether you will seek to have the complaint in this action sealed, as Barry agreed to do in his letter of June 21, 2007. Please let me know if I should contact you or Barry to discuss this issue.

Best regards,

William J. Kuhne  
Morrison & Foerster LLP  
1290 Avenue of the Americas  
New York, NY 10104-0050  
Telephone: (212) 506-7241  
Facsimile: (212) 468-7900

---

To ensure compliance with requirements imposed by the IRS, Morrison & Foerster LLP informs you that, if any advice concerning one or more U.S. Federal tax issues is contained in this communication (including any attachments), such advice is not intended or written to be used, and cannot be used, for the purpose of (i) avoiding penalties under the Internal Revenue Code or (ii) promoting, marketing or recommending to another party any transaction or matter addressed herein.

For information about this legend, go to  
<http://www.mofo.com/Circular230.html>

---

This message contains information which may be confidential and privileged. Unless you are the addressee (or authorized to receive for the addressee), you may not use, copy or disclose to anyone the message or any information contained in the message. If you have received the message in error, please advise the sender by reply e-mail @mofo.com, and delete the message.